FARAD CONSTITUTION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE,
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.2030/2007

Sahajad Khan Pathan and others
...Versus...
M/s. RSR Mohota Spg. & Wvg. Mills through its Proprietor Vinay Rakhchand Mohota

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's orders.	Court's or Judge's Orders

[Shri M.V. Mohokar, Adv. for petitioners]
[Shri D.M. Kakani, Adv. for respondent]

CORAM:- A.B. CHAUDHARI, J.
DATED :- 01.08.2007.

Heard Counsel for the rival parties.

What is under challenge in the present writ petition is an interlocutory order below exh.53 in Complaint (ULPN) No.149/2005 made by the Industrial Court.

Admittedly, the petitioners have been dismissed from services after holding departmental enquiry. Advocate Shri Mohokar for petitioners submits that the very act of holding departmental enquiry was illegal since the complaint was pending before the Industrial Court with an interim order operating therein.

Since the services of petitioners have been terminated, remedy of approaching the Labour Court is available. It is not necessary to exercise writ jurisdiction of this Court in this matter. Hence, the writ petition is dismissed. The petitioners are free to take necessary steps as are permissible in law. No order as to costs.

JUDGE

ssw